

# APPENDIX

*José Yeyille v. Armandina Acosta-Leon; et al.*  
**PETITION FOR WRIT OF CERTIORARI TO  
THE FLORIDA SUPREME COURT**

NO. \_\_\_\_\_

(August 23, 2021)

**INDEX TO APPENDICES**

**José-Yeyille-v.-Armandina Acosta-Leon; et al.**  
**PETITION FOR WRIT OF CERTIORARI TO**  
**THE FLORIDA SUPREME COURT**  
**NO. \_\_\_\_\_**

**CERTIFICATE OF SERVICE**

**APPENDIX 1.** José Yeyille v. Armandina Acosta-Leon, *et al.*, SC21-858 (August 18, 2021). **Petition for Emergency Writ of Prohibition seeking to Disqualify Chief Judge Kevin Emas of the Third District Court of Appeal.** “To the extent Petitioner seeks a writ of prohibition, the petition is hereby dismissed as moot. To the extent Petitioner seeks review of the Third District Court of Appeal’s decision in Yeyille v. Acosta-Leon, *et al.*, 2021 WL 2134516 (Fla. 3d DCA May 26, 2021)(table), the petition is hereby dismissed for lack of jurisdiction. *See Grate v. State*, 750 So. 2d 625 (Fla. 1999). No motion for rehearing or reinstatement will be entertained by this Court.”.....Appx 1

**APPENDIX 2.** José Yeyille v. Armandina Acosta-Leon, *et al.*, SC21-931 (June 21, 2021). **Invocation to the Discretionary Jurisdiction of the Florida Supreme Court for a Petition for Writ of Certiorari.** This case is hereby dismissed. This Court lacks jurisdiction to review an unelaborated decision from a district court of appeal that is issued without opinion. *Jenkins v. State*, 385 So. 2d 1356 (Fla.1980).....Appx 2

**APPENDIX 3.** José Yeyille v. Armandina Acosta-Leon, *et al.*, SC21-888 (June 14, 2021). **Petition for Writ of MANDAMVS to command the trial court and district court of appeal to rule on constitutionality of Florida Constitution, Article V§3(b)(3) and Jenkins v. State, 385 So. 2d 1356 (Fla. 1980) is dismissed.** This Court lacks jurisdiction to review an unelaborated decision from a district court of appeal that is issued without opinion *Jenkins v. State*, 385 So. 2d 1356 (Fla. 1980).....Appx 3

**APPENDIX 4.** José Yeyille v. Armandina Acosta-Leon, *et al.*, 3D20-1824 (June 2, 2021). **Appellant’s Pro Se Amended Motion for the Retroactive Disqualification of Chief Judge Kevin Emas is hereby denied. Appellant’s pro se Motion for Rehearing, Certify Question**

of Great Public Importance, and for Written Opinion is hereby  
denied. EMAS, C.J., and SCALES and GORDO, JJ., concur.....Appx 4

**APPENDIX 5.** José Yeyille v. Armandina Acosta-Leon, *et al.*,  
3D20-1824 (May 26, 2021). (**PER•CVRIAM affirmance without opinion**)  
EMAS, C.J., and SCALES and GORDO, JJ.....Appx 5

**APPENDIX 6.** José Yeyille v. Armandina Acosta-Leon, *et al.*,  
Case No. 2018-22362 (December 4, 2020). **Order Granting Defendants’**  
**Combined Motion to Dismiss with Prejudice and Order of Dismissal.**  
Judge Antonio Arzola.....Appx 6

**APPENDIX 7.** José Yeyille v. Armandina Acosta-Leon, *et al.*,  
SC18-937 (July 6, 2018). **The petition to invoke all writs jurisdiction**  
**is dismissed for lack of jurisdiction**.....Appx 7

**APPENDIX 8.** José Yeyille v. Armandina Acosta-Leon, *et al.*,  
SC18-845 (May 31, 2018). **This case is hereby dismissed. This**  
**Court lacks jurisdiction to review an unelaborated decision from**  
**a district court of appeal that is issued without opinion.**  
**Jenkins v. State, 385 So. 2d 1356 (Fla. 1980)**.....Appx 8

**APPENDIX 9.** José Yeyille v. Armandina Acosta-Leon, *et al.*,  
3D17-2605 (May 22, 2018). **Appellant’s PRO•SE motion for**  
**rehearing, clarification and issuance of written opinion pursuant**  
**to Appellate Rule of Civil Procedure 9.330(a) is hereby denied.**  
LAGOA, SALTER, and EMAS, JJ concur .....Appx 9

**APPENDIX 10.** José Yeyille v. Armandina Acosta-Leon, *et al.*,  
3D17-2605 (May 2, 2018). **PER•CVRIAM affirmance without**  
**opinion.** LAGOA, SALTER, and EMAS, JJ.....Appx 10

**CERTIFICATE OF SERVICE TO COUNSELS FOR RESPONDENTS**  
**AND THE ATTORNEY GENERAL OF FLORIDA**

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I hereby certify that on August 23, 2021 a true and correct copy of this  
**APPENDIX** was sent through **U.S. mail** to Walter J. Harvey School Board  
Attorney, The School Board of Miami-Dade County, Florida 1450 NE 2nd  
Avenue, Room 430, Miami, FL 33132; and the Office of the Attorney General.

**PRO•SE**

\_\_\_\_\_  
José Yeyille  
5505 SW 135<sup>th</sup> Court  
Miami, FL 33175

Walter J. Harvey, School Board Attorney, The School Board of  
Miami-Dade County, Florida, 1450 NE 2nd Avenue, Room 430  
Miami, FL 33132

Luis M. Garcia, Esq. Attorney for Defendant School Board  
Deputy Assistant School Board Attorney

Sara M. Marken, Esq. Attorney for Defendants Robertson, Acosta Leon, Asuncion-  
Valdes and Egna Rivas. Assistant School Board Attorney

Office of the Attorney General, State of Florida, The Capitol PL-01  
Tallahassee, Florida 32399-1050

Department of Financial Services, 200 E. Gaines Street,  
Tallahassee, FL 32399

# Supreme Court of Florida

WEDNESDAY, AUGUST 18, 2021

**CASE NO.: SC21-858**

Lower Tribunal No(s).:  
3D20-1824; 132018CA022362000001

JOSE' YEYILLE

vs. ARMANDINA ACOSTA-LEON,  
ETC., ET AL.

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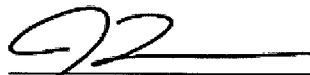
Petitioner(s)

Respondent(s)

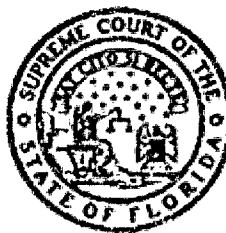
To the extent Petitioner seeks a writ of prohibition, the petition is hereby dismissed as moot. To the extent Petitioner seeks review of the Third District Court of Appeal's decision in *Yeyille v. Acosta-Leon, et al.*, 2021 WL 2134516 (Fla. 3d DCA May 26, 2021) (table), the petition is hereby dismissed for lack of jurisdiction. *See Grate v. State*, 750 So. 2d 625 (Fla. 1999). No motion for rehearing or reinstatement will be entertained by this Court.

POLSTON, LABARGA, LAWSON, MUÑIZ, and COURIEL, JJ.,  
concur.

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Test:



John A. Tomasino  
Clerk, Supreme Court



dl  
Served:

WALTER JAMES HARVEY  
SARA M. MARKEN  
HON. HARVEY RUVIN, CLERK  
HON. MERCEDES M. PRIETO, CLERK

LUIS MICHAEL GARCIA  
JOSE' YEYILLE

APPENDIX I

# Supreme Court of Florida

MONDAY, JUNE 21, 2021

**CASE NO.: SC21-931**

Lower Tribunal No(s):  
3D20-1824; 132018CA022362000001

JOSE' YEYILLE

vs. ARMANDINA ACOSTA-LEON,  
ET AL.

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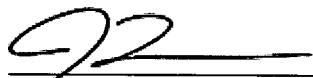
Petitioner(s)

Respondent(s)

This case is hereby dismissed. This Court lacks jurisdiction to review an unelaborated decision from a district court of appeal that is issued without opinion or explanation or that merely cites to an authority that is not a case pending review in, or reversed or quashed by, this Court. *See Wheeler v. State*, 296 So. 3d 895 (Fla. 2020); *Wells v. State*, 132 So. 3d 1110 (Fla. 2014); *Jackson v. State*, 926 So. 2d 1262 (Fla. 2006); *Gandy v. State*, 846 So. 2d 1141 (Fla. 2003); *Stallworth v. Moore*, 827 So. 2d 974 (Fla. 2002); *Harrison v. Hyster Co.*, 515 So. 2d 1279 (Fla. 1987); *Dodi Publ'g Co. v. Editorial Am. S.A.*, 385 So. 2d 1369 (Fla. 1980); *Jenkins v. State*, 385 So. 2d 1356 (Fla. 1980).

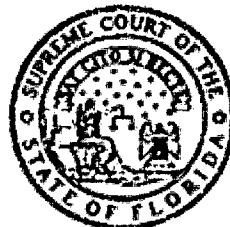
No motion for rehearing or reinstatement will be entertained by the Court.

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John A. Tomasino  
Clerk, Supreme Court



APPENDIX 2

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Served:

WALTER JAMES HARVEY

LUIS MICHAEL GARCIA

JOSE' YEYILLE

HON. MERCEDES M. PRIETO, CLERK

HON. ANTONIO ARZOLA, JUDGE

HON. HARVEY RUVIN, CLERK

# Supreme Court of Florida

MONDAY, JUNE 14, 2021

**CASE NO.: SC21-888**

Lower Tribunal No(s).:  
3D20-1824; 132018CA022362000001

JOSE' YEYILLE

vs. ARMANDINA ACOSTA-LEON,  
ET AL.

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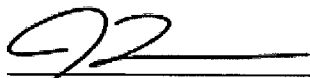
Petitioner(s)

Respondent(s)

This case is hereby dismissed. This Court lacks jurisdiction to review an unelaborated decision from a district court of appeal that is issued without opinion or explanation or that merely cites to an authority that is not a case pending review in, or reversed or quashed by, this Court. *See Wheeler v. State*, 296 So. 3d 895 (Fla. 2020); *Wells v. State*, 132 So. 3d 1110 (Fla. 2014); *Jackson v. State*, 926 So. 2d 1262 (Fla. 2006); *Gandy v. State*, 846 So. 2d 1141 (Fla. 2003); *Stallworth v. Moore*, 827 So. 2d 974 (Fla. 2002); *Harrison v. Hyster Co.*, 515 So. 2d 1279 (Fla. 1987); *Dodi Publ'g Co. v. Editorial Am. S.A.*, 385 So. 2d 1369 (Fla. 1980); *Jenkins v. State*, 385 So. 2d 1356 (Fla. 1980).

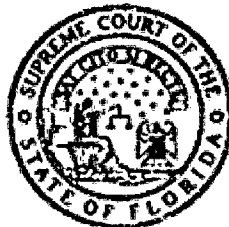
No motion for rehearing or reinstatement will be entertained by the Court.

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John A. Tomasino  
Clerk, Supreme Court



APPENDIX 3



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Served:

SARA M. MARKEN

WALTER JAMES HARVEY

LUIS MICHAEL GARCIA

JOSE' YEYILLE

HON. ANTONIO ARZOLA, JUDGE

HON. MERCEDES M. PRIETO, CLERK

HON. HARVEY RUVIN, CLERK

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA

THIRD DISTRICT

JUNE 02, 2021

JOSE YEYILLE,  
Appellant(s)/Petitioner(s),  
vs.  
ARMANDINA ACOSTA-LEON, et al.,  
Appellee(s)/Respondent(s),

CASE NO.: 3D20-1824

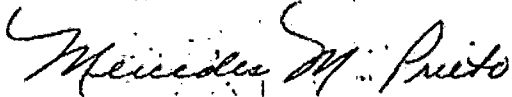
L.T. NO.: 18-22362

Upon consideration, Appellant's pro se Motion and "Amended Motion for the Retroactive Disqualification of Chief Judge Kevin Emas" are hereby denied.

Appellant's pro se "Motion for Rehearing, Certify Question of Great Public Importance, and for Written Opinion" is hereby denied.

EMAS, C.J., and SCALES and GORDO, JJ., concur.

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ATTEST

  
CLERK  
DISTRICT COURT OF APPEAL  
THIRD DISTRICT

cc: Luis M. Garcia  
Jose Yeyille

Sara M. Marken

Walter J. Harvey

la

APPENDIX 4

# Third District Court of Appeal

State of Florida

Opinion filed May 26, 2021.

Not final until disposition of timely filed motion for rehearing.

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No. 3D20-1824

Lower Tribunal No. 18-22362

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**José Yeyille,**  
Appellant,

vs.

**Armandina Acosta-Leon, et al.,**  
Appellees.

An Appeal from the Circuit Court for Miami-Dade County, Antonio  
Arzola, Judge.

José Yeyille, in proper person.

Walter J. Harvey, Miami-Dade County School Board Attorney, and Luis  
M. Garcia, Deputy School Board Attorney, for appellees.

Before EMAS, C.J., and SCALES and GORDO, JJ.

PER CURIAM.

Affirmed.

APPENDIX 5

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL  
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

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CASE NO: 2018-022362-CA-01

SECTION: CA24

JUDGE: Antonio Arzola

**Jose Yeyille**

Plaintiff(s)

vs.

**Armandina Acosta Leon et al**

Defendant(s)

\_\_\_\_\_ /

**ORDER GRANTING DEFENDANTS' COMBINED MOTION TO DISMISS WITH  
PREJUDICE AND ORDER OF DISMISSAL**

**THIS CAUSE** having come before the Court on December 1, 2020 upon Defendants' Combined Motion to Dismiss with Prejudice Plaintiff's "Amended Petition For Declaratory Judgments For Constitutional Challenges," and the Court having considered the procedural history, reviewed Defendants' Combined Motion to Dismiss with Prejudice and Plaintiff's response thereto, having heard argument of counsel, and having been fully advised by the parties, the Court hereby **ORDERS** and **ADJUDGES** as follows:

Defendants' Combined Motion to Dismiss is **GRANTED** for the following reasons;

1. The Court finds that Plaintiff's Amended Petition fails to state a claim upon which relief may be granted. Instead, Plaintiff seeks to have this Circuit Court invalidate the rulings of the Third District Court of Appeal and of the Florida Supreme Court and to find that these courts have violated his civil rights;
2. This Court has no jurisdiction over Plaintiff's purported constitutional claims or to provide the requested relief; and

**APPENDIX 6**

3. ~~This court further finds that Plaintiff's claims are barred by the Doctrine of Res~~  
Judicata because such issues, claims, facts, and causes of action have been  
decided by both state and federal courts of competent jurisdiction.
4. Accordingly, Defendants' Combined Motion to Dismiss Plaintiff's Amended Petition  
is hereby **GRANTED**, with prejudice. This matter is hereby dismissed and the  
Clerk of Court is instructed to close this case.
5. The Court also denies Plaintiff's recently filed Motion to Amend as the Court finds  
that further Amendment of Plaintiff's Petition would be futile for the reasons stated  
above.

**DONE and ORDERED** in Chambers at Miami-Dade County, Florida on this 4th day of  
December, 2020.



2018-022362-CA-01 12-04-2020 1:46 PM

Hon. Antonio Arzola

**CIRCUIT COURT JUDGE**

Electronically Signed

Final Order as to All Parties SRS #: 12 (Other)

THE COURT DISMISSES THIS CASE AGAINST ANY PARTY NOT LISTED IN THIS  
FINAL ORDER OR PREVIOUS ORDER(S). THIS CASE IS CLOSED AS TO ALL  
PARTIES.

**Electronically Served:**

Jose Yeyille, joseyeyilleesq@yahoo.com

Jose Yeyille, joseyeyilleesq@yahoo.com

Jose Yeyille, joseyeyilleesq@yahoo.com

Luis M. Garcia, lmgarcia2@dadeschools.net

jose yeyille, joseyeyilleesq@yahoo.com

# Supreme Court of Florida

FRIDAY, JULY 6, 2018

CASE NO.: SC18-937

Lower Tribunal No(s):

3D17-2605; 132015CA025880000001

JOSE' YEYILLE

vs. ARMANDINA ACOSTA-LEON, ET  
AL.

Petitioner(s)


Respondent(s)

In accordance with this Court's order in *Yeyille v. Acosta-Leon*, No. SC18-845, 2018 WL 2446962 (Fla. order filed May 31, 2018), the Court will not entertain rehearing or reinstatement in case number SC18-845. The petition to invoke all writs jurisdiction is dismissed for lack of jurisdiction because the petitioner has failed to cite an independent basis that would allow the Court to exercise its all writs authority and no such basis is apparent on the face of the petition. See *Williams v. State*, 913 So. 2d 541, 543-44 (Fla. 2005); *St. Paul Title Ins. Corp. v. Davis*, 392 So. 2d 1304, 1305 (Fla. 1980). No rehearing will be entertained by this Court.

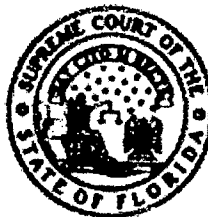
CANADY, C.J., and PARIENTE, LEWIS, QUINCE, and POLSTON, JJ., concur.

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John A. Tomasino  
Clerk, Supreme Court



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APPENDIX 7

CASE NO.: SC18-937

Page Two

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SARA M. MARKEN  
WALTER JAMES HARVEY  
LUIS MICHAEL GARCIA  
JOSE' YEYILLE  
HON. HARVEY RUVIN, CLERK  
HON. MARY CAY BLANKS, CLERK

# Supreme Court of Florida

THURSDAY, MAY 31, 2018

CASE NO.: SC18-845

Lower Tribunal No(s):

3D17-2605; 132015CA025880000001

JOSE YEYILLE

vs. ARMANDIANA ACOSTA-LEON

Petitioner(s)


Respondent(s)

This case is hereby dismissed. This Court lacks jurisdiction to review an unelaborated decision from a district court of appeal that is issued without opinion or explanation or that merely cites to an authority that is not a case pending review in, or reversed or quashed by, this Court. *See Wells v. State*, 132 So. 3d 1110 (Fla. 2014); *Jackson v. State*, 926 So. 2d 1262 (Fla. 2006); *Gandy v. State*, 846 So. 2d 1141 (Fla. 2003); *Stallworth v. Moore*, 827 So. 2d 974 (Fla. 2002); *Harrison v. Hyster Co.*, 515 So. 2d 1279 (Fla. 1987); *Dodi Publ'g Co. v. Editorial Am. S.A.*, 385 So. 2d 1369 (Fla. 1980); *Jenkins v. State*, 385 So. 2d 1356 (Fla. 1980).

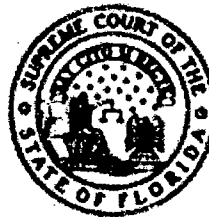
No motion for rehearing or reinstatement will be entertained by the Court.

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John A. Tomasino  
Clerk, Supreme Court



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Served:

WALTER JAMES HARVEY  
LUIS MICHAEL GARCIA  
JOSE YEYILLE  
HON. MARY CAY BLANKS, CLERK  
HON. HARVEY RUVIN, CLERK  
HON. BRONWYN C. MILLER, JUDGE

APPENDIX 8



IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA

THIRD DISTRICT

MAY 22, 2018

JOSE YEYILLE  
Appellant(s)/Petitioner(s),

CASE NO.: 3D17-2605

vs.

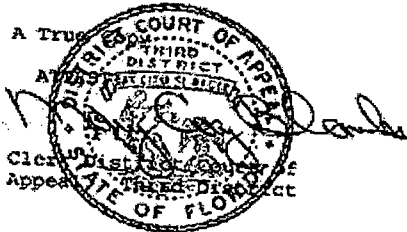
L.T. NO.: 15-25880

ARMANDINA ACOSTA-LEON, et al.,  
Appellee(s)/Respondent(s),

**CORRECTED ORDER**

Upon consideration, appellant's pro se motion for rehearing,  
clarification and issuance of written opinion pursuant to Appellate Rule of Civil  
Procedure 9.330(a) is hereby denied.

LAGOA, SALTER and EMAS, JJ., concur.



cc: Luis M. Garcia

Walter J. Harvey

Jose Yeyille

la

APPENDIX 9

# **Third District Court of Appeal**

**State of Florida**

Opinion filed May 2, 2018.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D17-2605  
Lower Tribunal No. 15-25880

---

**José Yeyille,**  
Appellant,

vs.

**Armandina Acosta-Leon, et al.,**  
Appellees.

An Appeal from the Circuit Court for Miami-Dade County, Bronwyn C. Miller, Judge.

José Yeyille, in proper person.

Walter J. Harvey, School Board Attorney, and Luis M. Garcia, Deputy School Board Attorney, for appellees.

Before LAGOA, SALTER, and EMAS, JJ.

PER CURIAM.

Affirmed.

APPENDIX 10